

## PLANNING COMMISSION MINUTES

Jane 7, 1994

Present Chairman Mark Green, Kathi Izatt, Mick Johnson, Don Milligan, Dick Dresher, Elaine McKay; Barbara Molt, City Council Representative; Russell Mahan, City Attorney, Jack Balling, City Engineer;

Blaine Gehring, Planning and RDA Director; Shirley Chevalier, Recording Secretary

Excused Jeff Chretien, Mike Holmes

Minutes of May 3, 1994 not available for approval.

Minutes of May 17, 1994 were amended as follows: (1) - Page 2, item S-17-94 S. on the motion made by Barbara Holt, add - "It was denied per the ordinance 14-2-206 A.. (2) First paragraph of same item, add to the end of the sentence - i.e., residential. The amended minutes were approved by majority vote. Mark Green and Elaine McKay were absent at this meeting and abstained from voting.

### Conditional Use Permits

6-7-94.3 Public Hearing to consider approval of a Conditional Use Permit for Jehovah's Witnesses Church, 33S East 900 North, Ernest L Blank, applicant.

The proposed building contains 4,693 sq. ft. of floor area on a 42,097 sq. ft. building site. The landscaped area is 9,195 sq. ft. or 2.13% of the property. Staff reviewed the plans for compliance with the Site Plan Ordinance, and recommends approval subject to the following conditions:

1. The plans show a recreation vehicle pad and hook-up behind the building. This is not allowed;
2. The building pad must be raised in elevation to 101 to meet the Uniform Building Code, Section 2907 (5) and provide a 2% grade to the street;
3. They propose to contain all storm water run-off on their property. These facilities must be designed for a 10 year storm occurrence and the overblow piped to the street;
4. The parking just meets the requirements if the seating is to be row benches (50 is required, 51 is provided);
5. The location of the screened dumpster needs to be defined;
6. Utility easements must be provided 7 ft. wide along 900 North St., 15 ft. wide along the drainage overflow line; and other easements as required by the utilizes;
7. The final building plans must be prepared and stamped by a licensed architect per state law;
8. Landscaping buffer of at least 5ft. is required around the entire perimeter of the parking lot. Detailed landscape plan meeting all ordinance standards be submitted for final approval.
9. (Added by the Planning Commission) The applicant is to prevent parking for any commercial

purposes;

10. (Added by the Planning Commission) Modify the parking to increase and maximize landscaped areas.

During the public hearing a large number of neighborhood property owners spoke in opposition to this proposal. Their main concern was that the street is already impacted with parking and frame caused by the Mandarin Restaurant which is located across the street south of the subject property. There is a fear that the church's parking lot will be used by the restaurant's customers. Drainage and flooding was another concern. Water on this site would drain everything to the southwest corner where there would be a large box designed for a 10 year flood. Any overflow would be drained to the street. Others said their property values would decrease, there would be asphalt poured right up to their property line and this would create heat in the summer; the disturbing sounds of music and choir singing, car headlights, parking lot lighting, etc. A letter signed by several people living in this neighborhood who were opposed was presented to the Planning Commission. There was inquiry regarding a fence. It was recommended that a 6 ft. high solid barrier fence be installed.

Mr. Blank said that with the proposed changes in the drains, it would seem this would be an improvement in the area. Regarding traffic, there is sufficient parking space within the parking lot. The proposed facility is designed for 160 people. Their average attendance is 95 and they will park within the property. The hours of worship on Sunday are from 10 to 12 AM. On Tuesday evenings they have a meeting with about 8 cars arriving. Thursday evenings they meet from 7:30 to 9:30, and the number of cars is insignificant. People attending these meetings will not park on the street.

Kathi Izatt made a motion to close the public hearing; seconded by Don Milligan; unanimously approved.

6-7-94A Consider approval of a Conditional Use Permit and preliminary site plan approval for Jehovah's Witnesses Church at 3S5 East 900 North, Ernest L Blank, applicant.

The Planning Commission discussed the concerns of the residents who are afraid the church's parking lot will be used as an overflow for the Mandarin. A chain could be locked across the entrance to keep the rest of the public out when the chapel is not being used. Mr. Blank said they would be willing to provide something to keep the property from being used this way.

There is an existing fence on the north side of the property. Churches have not been required to install fences next to residential properties in the past. Mr. Blank stated that they plan to install a chain link fence around the perimeter of the property.

The parking plan as presented will probably be changed. Staff feels there is a more efficient way to design the parking by moving it forward which will open up an area for more landscaping and less asphalt along the property line. This will be included in the final site plan.

Kathi Izatt made a motion to grant the Conditional Use Permit and recommend preliminary site

plan approval to City Council for the Jehovah's Witnesses church at 335 East 900 North, subject to the conditions outlined by staff 1 through 8 with the addition of #9, that the applicant is to prevent parking for any commercial purposes, and #10, that they will modify parking to increase and maximize landscaped areas. Motion seconded by Barbara Holt; Mick Johnson voted nay; Elaine McKay abstained; majority approved 5-2.

6-7-94 S Public Hearing to consider approval of a Conditional Use Permit for two flag lots at 335 East Mill Street, Delmont Hayes, applicant.

Mr. Hayes' property consists of 1.2 acres. He wishes to divide the property into three parcels and build two duplexes in addition to his existing home. The two duplex parcels would be flag lots with adjacent stems of 25 fl. each. Each stem on the flag lot would be less than 200 ft. long. The flag portions of the lots conform to the ordinance which requires 10,000 sq. ft. per duplex. In reviewing this with the Fire Marshall, he would like to see a fire hydrant located near the northwest corner of lot 2 for fire protection to both lots. The 6" line needed to service the fire hydrant could also be used as the main supply for the duplexes.

Stab recommends approval of the Conditional Use Permit and conceptual and preliminary approval for the three lot subdivision, subject to the following conditions:

1. Prepare and submit a final subdivision plat for approval and recording;
2. A Cat water line be extended bade to the northwest corner of lot 2 where a fire hydrant shall be located. A 15 ft. easement for the water line be granted to Bountiful City;
3. A 7 ft. utility easement be granted along the entire frontage of the subdivision;
4. Other utility easements as may be required by other utilities;
5. Provide for storm detention or pay a storm detention fee to be determined at the time of final subdivision approval and other associated fees. (The shaded portion was added by the Planning Commission.)

No one appeared at this public hearing to speak for or against the proposal. The Planning office received two letters, one for and one against. The public hearing was closed on a motion by Kathi Izatt, seconded by Dick Drescher, unanimously approved.

6-7-94 C Consider approved Use Permit for two flag lots and conceptual and preliminary subdivision approved for a three lot subdivision at 335 East Mill Street, Belmont Hayes, applicant.

Mr. Hayes said they will either build duplexes or single family homes here. Zoning ordinance allows both as a permitted use.

Don Milligan made a motion to grant the Conditional Use Permit and recommend conceptual and preliminary approval to City Council for a three lot subdivision at 33S East Mill Street, subject to staff recommendations 1 through 5, adding to 5 sand other associated fees.. Elaine McKay seconded the motion; Kathi Izatt voted nay; majority approved 6-1.

6-7-94.7 Review of Conditioned Use Permit for a preschool at 1044 East Claremont Drive as per original Planning Commission approval, Jewell Christopherson, owner.

On August 3, 1993, the Planning Commission granted a Conditional Use Permit for a preschool for Mrs. Christopherson. Several neighbors at the public hearing expressed concern, so a provision was made that this item would be reviewed by the Planning Commission and that those people who received notices of the public hearing would also receive notices of the review, which was done. No one came to the review this evening. Mr. Gehring reported that since issuing the permit and business license in August, 1993, there were no phone calls or letters of complaints concerning the preschool received by the city. Mr. Gehring recommends this permit be allowed to continue without further review.

Elaine McKay made a motion to allow the permit for Jewell Christopherson's preschool at 1044 East Claremont Drive to continue without further review; seconded by Kathi Izatt; voting was unanimous.

#### Site Plans

C-7-948 Request for review of a site plan requirement for a circular driveway at 3056 S. Orchard Dr., Julie Pead, applicant.

When the building lot was approved, the Planning Commission required that a circular driveway be located on the property due to the problems with access at the intersection of 500 West and Orchard Drive. When submitting the plans for a building permit, it was discovered that the original plans had been changed from locating the garage on the front and moving it to the side with a straight driveway accessing the garage from the side. The Peads were told that the circular driveway requirement still applied and would have to be shown on the plans for approval.

The home is now nearly complete and placing the circular driveway is almost impossible to accomplish. Along the northeast property line next to 500 West is a power pole with a support guy angling to the south from the pole. At the base of the downguy is a water meter box. There is a stop sign at the corner with a very short distance between it and the box. In reviewing this with the Power Dept., the Peads could pay to move the pole and downguy or alter the requirement for a circular driveway. They will not allow a driveway to be placed in the space between the pole and the downguy.

Mr. Gehring received a request from Mrs. Pead to review this and see if it would be possible to rescind the requirement for the circular drive. The Planning Commission imposed this requirement for safety concerns. If a design could be made which would allow for a backup turnaround, they could approach Orchard Drive frontwards rather than backing onto the street. This would meet the Planning Commission's concern and eliminate the necessity of moving the pole at considerable expense.

Elaine McKay made a motion to recommend the City Council review the site plan for a circular driveway as submitted to modify to a turnaround; Mick Johnson seconded the motion; motion

unanimously passed.

6-7-94.9 Preliminary and final site plan approval for a commercial garage/building at 228 N. 500 W., Earl Larrabee, applicant.

Mr. Larrabee owns a business called Designer Mantels Plus at 228 North 500 West. The new building will be used for finished product storage, lumber storage and to park and load delivery trucks. The new building area is 2,100 sq. ft. with the new and existing parking of 10 spaces. Landscaping around the new building is existing. There are large trees, shrubs and lawn with a complete sprinkling system. The building will not contain water or sewer connections, but will have power.

A site plan review was made and staff recommends approval subject to the following conditions:

1. The red lines on the drawings showing the area tabulations and grading must be placed on the original drawings. Red lines are not acceptable;
2. The parking lot areas should be edged with curb walls on commercial development;
3. A storm drainage fee is required for the new addition in the amount of \$241.00;
4. Utility easements must be provided 7 ft. wide along both streets and at other locations as required by utility services;
5. Final plan review by building inspectors;
6. Payment of all required fees and bonds.
7. (Added by Planning Commission) A fence to be required on the east property line and approved by the Planning Director,
8. (Added by Planning Commission) Trees and landscape buffers as required approved by the Planning Director.

Mick Johnson recommended to City Council preliminary and final site plan approval for the commercial building at 228 North 500 West subject to items 1 through 6 outlined by staff; adding item #7, a fence required on the east property line to be approved by the Planning Director, and #8, trees and landscape buffers as required approved by the Planning Director seconded by Don Milligan; unanimously approved.

6-7-94.10 Preliminary and final site plan approval for two 4-plexes at 393 and 399 West 200 North, Heinz Koenig, developer.

They will build one 4-plex on the front of the property, with a driveway on the east side to the second 4-plex in the back. The parking requirements have been met, 8 which will be undercover. A landscape plan has been submitted.

Staff has reviewed the plans and recommends preliminary and final approval subject to the following conditions:

1. A fire hydrant and fire water line is required at the location recommended by the Fire Marshall for a total of \$5,280.00;

2. A storm detention fee of \$1,680.00 is required for runoff water,
3. A 7 ft. wide utility easement is required along the front, east, and west property lines;
4. A utility easement is required along the power line;
5. The carport should be divided to provide direct fire access to the back building as shown on the plan;
6. The back building must be raised to elevation 104.5 to provide drainage as per code 2906(5);
7. The parking lot along the walls needs to show the finished grade elevations;
8. The plans must be designed and stamped by a licensed architect in the State of Utah;
9. The buildings and carports must be designed for 100 mph wind load and 30 lbs. live load. The structural calculations must be submitted with the final plans;
10. Payment of all required fees and posting of required bond.
11. (Added at the meeting) Add fencing of property as approved by the Planning Director;
12. (Added at the meeting) Landscape trees and buffers as required and approved by the Planning Director;
13. (Added at any future development to come back for separate site plan approval.

The south property may be developed in the future. Ten units would be allowed under the ordinance with no further conditions, so a duplex could be built without a public hearing. For a 4-plex, there will have to be a public hearing since it would fall in the Density Incentive Bonus. This approval tonight does not approve any future development.

Regarding the fencing, Mr. Gehring said we will require wood fencing on the east and west sides; on the south side they can probably use the existing chain link fence adding privacy slats.

In a petition, one neighbor expressed his concerns about property values, rental property being subject to deterioration and an eyesore, added strain to the water and sewer system, safety concerns for children playing on or near the road because of added traffic.

Dick Drescher made a motion to recommend to City Council preliminary and final site plan approval for the two 4-plexes at 393 West and 399 West 200 North subject to the conditions outlined by staff 1 through 10, adding #11 - add fencing of property as approved by the Planning Director; #12 - landscaping trees and buffers as required and approved by the Planning Director; #13 - this does not include any approvals for the future development area; seconded by Don Milligan; unanimously approved.

## Subdivisions

6-7-11.94 Find approved of the Bridlewood South Subdivision at 4100 S. Monarch Dr., Merrill Bunker, developer.

City Council granted preliminary approval May 11, 1994 subject to the following conditions:

1. Lot 1 meet the minimum lot width of 100 ft.,
2. Monarch Drive be allowed to extend 670 ft. maximum with a temporal turnaround as shown. Any further extension would require the development of two access ways;

3. The stub road to the west be approved by North Salt Lake and the Eaglewood development;
4. 7 ft. wide easements be provided along the frontage of all lots and around the perimeter of the lots;
5. The lots be fully improved to city standards and engineering drawings be submitted with the Final plats.

The final drawings have been reviewed and a letter was sent to the developer with corrections to be made. Staff recommends final approval subject to the following conditions:

1. Meet the requirement of the preliminary approval above;
2. Complete the requirement in the review letter of May 23, 1994;
3. Payment of the required fees;
4. Posting of the required bond.

Kathi Izatt made a motion to mommend to City Council final approval for Bridlewood South Subdivision subject to recommendations of staff; Barbara Holt seconded the motion; unanimously approved.

6-7-12.94 Final approval of the Johnson-Murray Subdivision at 2S0 North 1400 East, Rob Johnson and Pepper Murray, developers.

This is a 5 lot subdivision which was granted preliminary approval by the City Council on June 1, 1994, subject to the following conditions:

1. Exception to the street grade be approved to 14.3% grade;
2. Walk and curb and gutter be required along the east side of lot 3; (the rest of the road would be improved when the area to the east is developed);
3. Moss Hill Drive be dedlcabd and approved from 250 North Street to Bountiful Blvd., including the dedication of a small triangular portion of Bountiful Blvd.; (they are working with the owner of the property on the east side, Mr. Keller, to see if that can be developed. If they cannot work it out with Mr. Keller, staff is recommending that they be allowed to work with the developers to change the alignment of this road);
4. The sidewalk along the east of Moss Hill Drive that will be dedicated shall not be required by this developer. The city will require the sidewalk when the property to the east develops;
5. The city will provide for the drainage and curb returns on Bountiful Blvd.
6. Stall to have the flexibility to consider revisions in road realignment as needed on Moss Hill Drive.

The final plans have been completed and the bond letter prepared. Staff mommends final approval subject to the conditions above and the following requirements:

1. Completion of corrections on the find plat;
2. Submit an up-to-date title report;
3. Submit the deeds required for the road dedication;
4. Posting of the bond and payment of fees.

Elaine McKay made a motion to recommend to City Council final approval for the Johnson-Murray Subdivision subject to the conditions and recommendations of staff, with the addition of item #6 - Staff to have the flexibility to consider revisions in road realignments as needed on Moss Hill Drive; seconded by Don Milligan; unanimously approved.

6-7-13.94 Final approval of the Lakeview Life Center Subdivision at 420 E. Medical Dr.

This was granted preliminary approval by the Planning Commission on April 15, 1994 as part of the Lakeview Medical office building approval. They are selling the ground and leasing it back to the hospital on a 15 year lease, and it was their desire to create a subdivision plat. They must comply with the requirements with the Subdivision Ordinance. Staff has reviewed this plat and there are several items which need to be corrected before this subdivision can be recorded.

1. A title report is required using the exact description as shown on this plat;
2. The owners dedication must be corrected as directed on the check sheets;
3. The parking easement, the 15ft. water line easement and the gas line easement shown outside the boundary description will not be dedicated with this plat. Other arrangements must be made outside this plat;
4. Label location of easements on the plat as much as possible;
5. Label the bearings to the center of curves in an cases where the radiuses are not tangent;
6. Is there a required water connection to 500 South Street? If so, where is the easement document?
7. Comply with an Planning Commission and City Council requirement as directed in their minutes;
8. There are other small corrections or additions that must be made as shown on the check sheets before this plat can be recorded.

The conditions of preliminary and final site plan approval and preliminary subdivision approval which were recommended on April 5, 1994, are as follows:

1. Payment of water development fees in the amount of \$15,525.00 for 1035 ft of water line extension from 500 South Street;
2. Payment of a 3-inch water meter in the amount of \$11,146.50;
3. Payment of a sewer connection fee to be determined at the issuance of the building permit;
4. Payment of a storm detention fee in the amount of \$4,788.00;
5. Provide a creek drainage easement, a water line easement, and 7ft. wide utility easement along the north and west property lines;
6. The final checking of the construction drawings and payment of required building fees and bonds;
7. Posting a Letter of Credit to guarantee the completion of the site improvement in the amount of 5% of the building valuation;
8. All other items to meet the city ordinances: landscaping shown in 20% of area which exceeds the required 10%; storm sewer meets all engineering standards; parking shows 190 new stalls, 37 is required.



With all the above items being completed, staff recommends final approval. Don Milligan made a motion to recommend to City Council final approval for Lalkeview Life Center Subdivision, 520 E. Medical Dr., subject to the recommendations and conditions as outlined by staff; seconded by Dick Dresher; unanimous approved.

Meeting adjourned at 9:45 PM.